

**PUBLIC MEETING**  
**March 28, 2006**

Chair Anita Varone called the meeting to order at 9:00 a.m.

Commissioners Murray and Tinsley were present. Others attending all or portion of the meeting included Ron Alles, Jerry Grebenc, Frank Rives, Laura Erikson, Terry & Judy Will, Jason Roylance, Greg McNally, Judy Hart, Jason Mohr, Jeremy Perlinski, F. Mehr, Phil Forbes, John Osborne, Lee Wolfe, M. Wilson, Bob Clark, Jerry Shepherd, Beth Noel, Travis Clark, Chris Ries, Duane Noel, Ron Solberg, Fire Chief Jerry Shepherd, and Maria Penna.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Agenda Items. Ron Alles reported on the consent agenda and recommended approval.

- a. Contract with Stahly Engineering for Field Topography Survey at the Fairgrounds. \$25,380. The contract provides for the final engineering on the campground facility at the fairgrounds.
- b. Final Plat Approval and Subdivision Improvements Agreement for the Big Valley Lot 107A Minor Subdivision. (Applicants, Terry and Judy Will) (Planner, Frank Rives) (Nunc pro tunc action on 3/23/06)
- c. Disposal of Records-Treasurer/Clerk and Records Office. Certain records between the dates of 1974 and 2003. (Paulette DeHart)

Commissioner Murray moved approval of the consent agenda and authorized the Chair to sign. Commissioner Tinsley seconded the motion and it carried unanimously.

Sierra Road South Wastewater Treatment Facilities Draft Preliminary Engineering Report. (Laura Erikson) Commissioner Murray moved to accept the engineering report for the Wastewater Study of the Helena Valley. Commissioner Tinsley seconded the motion.

Commissioner Murray stated the Commission will ask staff to present a proposal on implementation of this report within the next few weeks. Commissioner Tinsley stated the action taken this morning is to accept a report, not voting to extend this sewer line at this time.

The motion to approve the report carried unanimously.

Proposed 3-Lot Minor Subdivision, Preliminary Plat to be known as Southern View Minor. (Applicant, Jason Roylance) (Planner, Greg McNally). The applicant proposes to create 3 lots, each for one single-family dwelling. The existing 17.14-acre tract will be divided into three lots ranging in size from 5.40 acres to 5.92 acres. The proposed subdivision is generally located approximately  $\frac{3}{4}$  miles north of Prairie Road and adjacent to North Montana Avenue. Travis Clark was present representing the applicant and indicated his willingness to proceed.

Greg McNally presented the staff report. The subject property is located within the Lewis and Clark County Special Zoning District 15-A. It is the intent of this district to provide for low-density residential uses in a rural atmosphere. The property is located within the North Hills Temporary Groundwater Study Area. Legal and physical access is via an individual approach on Lot 1 and a shared approach for Lots 2 and 3 onto North Montana Avenue. No road construction is required for this proposal; however, the applicant would have to comply with the requirements of approved approach permits. Due to the length of the dead-end road the approved approaches should include a terminus having a minimum radius of 500 feet or a hammerhead-T turnaround to provide adequate emergency vehicles the ability to turnaround. An existing approach onto North Montana Avenue located at the southern property boundary should be removed and the drainage ditch be restored. Fire protection is provided by the West Helena Valley Fire District. The applicant has requested two variances from county subdivision regulations: (1) from the requirement that streets ending in cul-de-sacs shall be no longer than 700 feet. North Montana Avenue is a dead-end road from Erikson Road and the distance is approximately 2,800 feet; and (2) no lot shall have an average depth greater than three times its average width. Each of the proposed three lots has an average depth greater than three times its average width. The location of the subject property is in a high to severe fire hazard fire area and staff recommended a no-build zone be placed upon each lot and the no-build zone should be to the east of the setbacks established for the drainage. Staff recommended approval of the proposed subdivision subject to 15 conditions as outlined in the staff report.

Commissioner Tinsley questioned the reasoning behind the 3:1 ratio variance request.

Chris Ries, 6850 Green Meadow Drive, representing the applicant, stated one of the biggest concerns with this site is the interstate highway noise, the drainages, and meeting the five-acre minimum, but they were able to define the locations that would work for the separation and would also help to mitigate some of the fire concerns.

Commissioner Tinsley asked Fire Chief Shepherd's opinion on the variance request using Montana Avenue as the dead-end road as it relates to emergency access. Chief Shepherd stated he has no problem with the variance request.

Commissioner Murray moved that the Commission render a final decision Thursday, March 30 at 9 a.m. Commissioner Tinsley seconded the motion and it carried unanimously.

Public comments on matters not mentioned above. None.

There was no other business and the meeting adjourned at 9:39 a.m.

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS

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Anita L. Varone, Chair

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Michael A. Murray, Vice-Chair

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Ed Tinsley, Member

ATTEST:

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Paulette DeHart, Clerk of the Board